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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
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9 David Mitchell,

10 Petitioner,

11 vs.

12 Charles Ryan, et al.,

13 Respondents.

No. CV-08-1463-PHX-PGR

ORDER

14  
15 The petitioner's habeas petition, filed pursuant to 28 U.S.C. § 2254, was  
16 denied and dismissed with prejudice pursuant to the Court's Order (Doc. 45) and  
17 Judgment (Doc. 46), both of which were entered on August 30, 2010; no appeal  
18 was filed. Pending before the Court is the petitioner's Request for Production of  
19 Documents and for Service Upon Respondents (Doc. 47), which was signed on  
20 August 30, 2010 and filed on September 1, 2010.

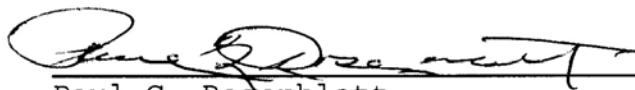
21 In his Request for Production of Documents, the petitioner requests that  
22 the Court provide him with a copy of two of his own filed documents: his Motion  
23 for Leave to File Delayed Objections to Magistrate's Report and  
24 Recommendation (Doc. 40) and his Objections to Magistrate's Report and  
25 Recommendations (Doc. 44). The Court will deny this motion because the  
26 petitioner has no constitutional right to have the Court provide him with free

1 photocopies, *cf.* Sands v. Lewis, 886 F.2d 1166, 1169 (9<sup>th</sup> Cir.1990) (Court noted  
2 that “numerous courts have rejected any constitutional right to free and unlimited  
3 photocopying” by prisoners), his *in forma pauperis* status does not entitle him to  
4 free copies of documents in the Court’s file, see *e.g.*, In re Richard, 914 F.2d  
5 1526, 1527 (6<sup>th</sup> Cir.1990) ( Court concluded that 28 U.S.C. § 1915, the *in forma*  
6 *pauperis* statute, “does not give the [prisoner] litigant a right to have documents  
7 copies and returned to him at government expense”), and he has not sufficiently  
8 demonstrated any need for the copies given the current procedural posture of the  
9 case. If the petitioner wishes to have copies of these documents provided to him  
10 at his expense, he may contact the Clerk of the Court to determine what the  
11 photocopying-related costs would be under the District Court Miscellaneous Fee  
12 Schedule.

13 In his Request for Service Upon Respondents, the petitioner requests that  
14 the Court provide the respondents with copies of his Motion for Leave to File  
15 Delayed Objections to Magistrate’s Report and Recommendation (Doc. 40) and  
16 his Objections to Magistrate’s Report and Recommendations (Doc. 44). The  
17 Court will deny this motion as moot because the record establishes that the Clerk  
18 of the Court electronically mailed copies of both documents to the respondents on  
19 August 17, 2010. Therefore,

20 IT IS ORDERED that the petitioner’s Request for Production of Documents  
21 and for Service Upon Respondents (Doc. 47) is denied.

22 DATED this 6<sup>th</sup> day of October, 2010.

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25 Paul G. Rosenblatt  
United States District Judge  
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